

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALAN GIANA,

Plaintiff,

-against-

SHEIN DISTRIBUTION CORP. ET
AL.,

Defendants.

24-cv-2599 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.:

The Court apologizes for any confusion generated by the last paragraph of its Memorandum Order of October 1, 2024. See ECF No. 41. As the first sentence of the paragraph makes clear, the dismissal is without prejudice to plaintiff's refiling the lawsuit in another jurisdiction if such a jurisdiction is available. In stating in the final sentence that the complaint was dismissed "with prejudice," the Court only meant to convey, inartfully, that, for the reasons stated in the Memorandum Order, plaintiff cannot refile the lawsuit in the Southern District of New York because this Court lacks personal jurisdiction. However, the dismissal is without prejudice to refiling in a court that putatively has personal jurisdiction.

SO ORDERED.

New York, NY
10/22, 2024



JED S. RAKOFF, U.S.D.J.